

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

**DAMIAN LAMARK, ET AL.,**

§

*Plaintiffs,*

§

**vs.**

§

**U.S. BANK, N.A.,**

§

*Defendant.*

§

**CIVIL ACTION NO. 4:18-cv-01887**

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**JOINT MOTION TO DISMISS WITH PREJUDICE**

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Plaintiffs Damian Lamark and Brian A. Brewer-Trustee ("Plaintiffs") and Defendant U.S. Bank National Association ("Defendant") (collectively, the "Parties") file this Joint Motion to Dismiss with Prejudice (the "Joint Motion").

The Parties jointly request that the Court enter the attached Agreed Order of Dismissal with Prejudice, dismissing with prejudice all claims that Plaintiffs asserted, or could have asserted, against Defendant in this lawsuit. The Parties also request that the Court enter the attached Final Judgment. The Parties further request that all taxable costs, expenses, and attorney fees be borne by the party incurring same.

WHEREFORE, PREMISES CONSIDERED, the Parties respectfully request that the Court grant their Joint Motion, dismiss this action with prejudice, enter the Agreed Order of Dismissal with Prejudice and Final Judgment submitted herewith, and order that all taxable costs, expenses, and attorney fees be borne by the party incurring same.

Respectfully submitted,

/s/ Robert C. Vilt

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**ATTORNEYS FOR DEFENDANT**

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and correct copy of the foregoing document was served upon all counsel of record *via the Court's CM/ECF system* pursuant to the Federal Rules of Civil Procedure on this 21st day of September 2018.

/s/ Marc D. Cabrera

Counsel for Defendant